

**City Council Regular Session
October 9, 2023**

The City Council of the City of Elizabeth City met in regular session on Monday, October 9, 2023 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Kirk Rivers
Mayor Pro Tem Kem Spence
Councilman Johnson Biggs
Councilman Joseph Peel
Councilman Javis Gibbs (*Arrived at 7:37 p.m.*)
Councilwoman Katherine Felton
Councilwoman Barbara Baxter
Councilman Johnnie Walton

MEMBERS ABSENT: Councilwoman Rose Whitehurst

OTHERS PRESENT: City Manager Montre' Freeman
Electric Superintendent Donnell White
Chief of Police J. Phillip Webster
Human Resources Director Montique McClary
Fire Chief Chris Carver
ECDI Director Debbie Malenfant
Finance Director Alicia Steward
Assistant Finance Director Brian Lewis
Public Utilities Director Dwan Bell
Parks and Recreation Director Sean Clark
Grants Management Specialist Jon Hawley
IT Director Matthew Simpson
IT Systems Analyst Pedro Holley II
City Clerk April Onley

The City Council regular session was called to order by Mayor Rivers at 7:00 p.m. He welcomed everyone to the meeting and recognized Mayor Pro Tem Spence to provide the invocation, after which Councilman Biggs led the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

Mayor Rivers asked the Council's pleasure on the prepared agenda. Councilman Biggs requested that a Closed Session for Discussion of Personnel be added.

Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilwoman Katherine Felton to approve the agenda as amended. Those voting in favor of the motion were: Biggs, Peel, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

2. Mayoral Recognition:

a. School Recognition;

Mayor Rivers said he was excited to recognize the 13 public schools in the ECPPS district. He recognized school board Chairwoman Angela Cobb, school board member Olds, school board member Williams and school board member Bogues. He called the ECPPS superintendent Keith Parker forward. Superintendent Parker said he was extremely proud of the people in the room for the work they do every single day and they were excited about the growth they were seeing in the public school system. This time last year, North Carolina sent a letter and identified that ECPPS was labeled as "low performing." Today, the state can no longer call ECPPS a low-performing school system. He was proud of the work the educators and administrators had done to make sure they could leave that label behind them in just one year and move beyond it. There are schools that have been identified as the highest performing

growth schools, one of which is PW Moore. Two years ago, PW Moore had been identified as an F school that had not exhibited growth. Now they have top five growth and are two points away from being a C school. He thanked the Mayor and Council for the invitation tonight.

Mayor Rivers stated that he would be giving a proclamation to each of the 13 schools in the ECPPS district and identifying a day as ECPPS Recognition Day. As he called representatives of each school forward, he'd have Superintendent Parker give details about their growth during the year.

First up was Central Elementary, which met growth and increased the overall number of students that passed the EOG. They are seven points away from meeting a C grade. They are expected to meet the C grade this year.

PROCLAMATION
ECPPS Recognition Day
Central Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

JC Sawyer Elementary met growth with a score of 80.3. They increased proficiency by 10, and are nine points away from a C grade. Last year, the school was labeled an F, so they've grown tremendously this year.

PROCLAMATION

ECPPS Recognition Day
J.C. Sawyer Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Northside Elementary has increased their proficiency by 13 points and are one point away from becoming C school. Superintendent Parker shared that they will be making it to C-level this year.

PROCLAMATION
ECPPS Recognition Day
Northside Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as

a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

PW Moore Elementary has exceeded student growth with a score of 85.1. They have increased proficiency by 17 points. Prior to this year, they had been considered an F school and are now four points away from being a C school.

PROCLAMATION
ECPPS Recognition Day
P.W. Moore Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators

who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Pasquotank Elementary met their expected growth. They increased proficiency by 11 points and are six points away from becoming a C school.

PROCLAMATION
ECPPS Recognition Day
Pasquotank Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Sheep-Harney Elementary exceeded growth with a score of 86 and also increased proficiency by 19 points. They are a C school that's well on the way to becoming a B school.

PROCLAMATION
ECPPS Recognition Day
Sheep-Harney Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Weeksville Elementary met growth with a score of 74.1. They increased proficiency by six points and are two points away from becoming a B school.

PROCLAMATION
ECPPS Recognition Day
Weeksville Elementary
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

River Road Middle School exceeded growth with a score of 92.6. They are two points away from becoming a C school.

PROCLAMATION
ECPPS Recognition Day
River Road Middle School
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators

who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Northeastern High School increased proficiency by eight points. They are three points away from becoming a C school. Additionally, they increased the graduation rate to 72%.

PROCLAMATION
ECPPS Recognition Day
Northeastern High School
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Pasquotank County High School is two points away from becoming a C school. They've increased their graduation rate by 17 points. They were recently selected and awarded a grant by Transcend, which was funded by Amazon and Jeff Bezos.

PROCLAMATION
ECPPS Recognition Day
Pasquotank High School
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as "***ECPPS Recognition Day***" in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Elizabeth City Middle School increased their performance grade to a C. They also exceeded growth, bringing their score up to a 90.3. Their proficiency score increased by 12 points.

PROCLAMATION
ECPPS Recognition Day
Elizabeth City Middle School
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

The proclamation for HL Trigg Community School was delivered next.

PROCLAMATION
ECPPS Recognition Day
H.L. Trigg Community School
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators

who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

Elizabeth City Pasquotank Early College met their growth score with a reported 81.8. They also increased proficiency and are seven points away from being an A school. The graduation rate is 95%.

PROCLAMATION
ECPPS Recognition Day
Elizabeth City Pasquotank Early College
October 2023

WHEREAS, in the United States, there are more than 98,000 public schools serving more than 50 million students and employing millions of teachers, specialists, administrators and support staff; and

WHEREAS, all children should have access to the highest quality of education possible, as it plays a critical role in preparing students to become successful adults; and

WHEREAS, in America, public schools educate nine of every 10 students and serve as a great equalizer for children, regardless of race; religion; ethnicity; family income; gender identity; or ability; and

WHEREAS, public schools balance the competing needs of educating our children; providing a shelter for disadvantaged students and a safe haven for all; and a nurturing place for learning; and

WHEREAS, Elizabeth City is proud to be home to a multitude of public schools that educate our youth, enhance their learning skills and diversify and teach our future leaders and community.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City, do hereby proclaim October 13th as **"ECPPS Recognition Day"** in Elizabeth City; and I encourage all citizens to join me in saluting these fine educational facilities and the extraordinary educators who work within them.

PROCLAIMED, this the 9th day of October 2023.

E. Kirk Rivers
Mayor

April D. Onley, NCCMC
City Clerk

3. Comments from the Public:

Mayor Rivers inquired of the Clerk if there were persons present who wished to speak before the Council. Upon the Clerk's reply that there was one, the mayor asked that they be called forward.

Nia Kearney – 209 Roundtree Drive, Elizabeth City, NC- Ms. Kearney advised that she was speaking on behalf of the GR Little Library at ECSU. The library will be hosting a fundraiser and would like to issue an invitation to the City of Elizabeth City. All funds collected will go to support the library. Tickets are priced at \$45 each and include a buffet dinner. She said she has copies of the invitation and details for each councilor that she'll leave on the dais. If there are any questions in regards to tickets, please reach out to Juanita Spence at the GR Little Library at ECSU.

4. Approval of Minutes:

a. Consideration – Approve September 25, 2023 Work Session Minutes;

Motion was made by Councilman Joseph Peel, seconded by Mayor Pro Tem Kem Spence to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

b. Consideration – Approve September 25, 2023 Regular Session Minutes;

Motion was made by Councilman Joseph Peel, seconded by Mayor Pro Tem Kem Spence to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

5. Consent Agenda:

Manager Freeman read the Consent Agenda items into the record, as follows:

a. Consideration – Approve MOU for No-Cost Resiliency Planning Services;

Mayor Rivers requested the Council's pleasure on the Consent Agenda.

Motion was made by Councilwoman Katherine Felton, seconded by Mayor Pro Tem Kem Spence to approve the Consent Agenda. Those voting in favor of the motion were: Biggs, Peel, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

6. Regular Agenda:

a. Any Item Removed from the Consent Agenda;

There were no items removed from the Consent Agenda.

b. Consideration - Tenth Amended and Restated Full Requirements Power Purchase Agreement (FRPPA) and Related Documents;

Councilman Peel asked if Attorney Morgan had received a copy of the document. The Clerk confirmed that he had; however, he had not yet given his comments and there was time to table before adoption was necessary if the Council would like to wait for his report before proceeding. Manager Freeman suggested that they give Attorney Morgan a few additional days to review as he was under the weather and had not been able to attend the meeting, but he had seen the document. He said he'd looked through the document himself and it was extremely detailed and technical. Councilman Peel noted that we really didn't have much of a

choice other than to adopt it and he didn't see any major changes, but he agreed that it would be good to get the green light from Attorney Morgan.

Motion was made by Councilman Johnson Biggs, seconded by Mayor Pro Tem Kem Spence to table the item until the October 23, 2023 meeting to allow adequate time for comments by the City Attorney. Those voting in favor of the motion were: Biggs, Peel, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

7. Closed Session- As Allowed by NCGS 143-318.11(a)(6) – Discussion of Personnel
(As Added During Agenda Adjustments);

Motion was made by Councilman Johnson Biggs, seconded by Mayor Pro Tem Kem Spence to enter Closed Session as allowed by NCGS 143-318.11(a)(6) for Discussion of Personnel at 7:38 p.m. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

Mayor Rivers announced there would be a three-minute recess prior to entering Closed Session in order to clear Council Chambers.

The Council returned to open session at 8:27 p.m.

8. Adjournment:

Having no further business to be discussed, Mayor Rivers adjourned the meeting at 8:27 p.m.

E. Kirk Rivers
Mayor

April Onley, NCCMC
City Clerk

